

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 QUITO 001344

SIPDIS

E.O. 12958: DECL: 06/09/2015

TAGS: [PGOV](#) [PREL](#) [EC](#)

SUBJECT: FORMER FM FACING POSSIBLE CONGRESSIONAL CENSURE

Classified By: Ambassador Kristie A. Kenney, Reason 1.4 (b&d)

11. (C) Summary: The president of Congress has publicly threatened to bring charges against Former Foreign Minister Patricio Zuquilanda, who lost his position with ex-President Gutierrez' ouster, for violating Ecuador's sovereignty by allowing the US military to sink decrepit Ecuadorian flagged fishing vessels involved in migrant and drug smuggling. As of June 9, however, no official petition for this motion had been brought before the Congress. A frantic Zuquilanda called the Embassy on June 9, saying that the Ambassador would also be named in the inquiry. The censure of Zuquilanda by Congress would be mostly symbolic, however, as it would carry no real weight. The "boat sinking" issue has been controversial here, fueled by distorted media reports. The move by Congress is another sign of increasing nationalism, which looks to blame the US on a variety of issues. End Summary.

-----  
Congress' Accusations Based on Leftist Report  
-----

12. (U) Congress announced that it would seek censure of former FM Patricio Zuquilanda for allowing USG "boat sinkings," thereby permitting the violation of Ecuador's sovereignty. President of Congress Wilfrido Lucero notified Zuquilanda on June 7 of the Congressional inquiry, which is based on a May 18 letter from the leftist Socialist and Pachakutik party blocks to the president of the Congress. The deputies state in their letter to Lucero that when Zuquilanda was asked to appear before the Congress to discuss the boat sinking issues while still FM, he either remained silent, discredited the accusations of USG wrongdoing, or repeated the US Embassy version without injecting his own criticism. Zuquilanda is accused of knowing of the boat sinkings and having done nothing to stop them. Zuquilanda, who served as FM under ex-President Lucio Gutierrez from August 2003 to April 2005, remains in Colombia since Gutierrez' ouster.

13. (U) The Congressmen's accusations against the former FM are primarily based on a report by ALDHU, a leftist Ecuadorian human rights organization. The report states that the US has sunk approximately 40 Ecuadorian boats, many in Ecuadorian waters, since November 1999. ALDHU also claims to possess a video with testimony of a detainee from one of the boats, who claims to have been tortured and degraded by the US military.

-----  
Zuquilanda, Panicked in Bogota  
-----

14. (C) Zuquilanda, in Bogota, called the Embassy in a panicked state on June 9 with an urgent request to speak to the Ambassador, saying she had also been named in the Congressional inquiry. Zuquilanda claimed Minister of Government Mauricio Gandara, a known nationalist, was behind the moves against him, and said that the leftists were taking over Ecuador; this was just another lashing out at the USG. Zuquilanda said he was preparing his defense paper.

-----  
Constitution Outlines Censure Procedure  
-----

15. (U) Article 130 of the Constitution states that Congress can carry out a political trial against various high-level government officials during or within one year of ending their government service. The Congress can then censure the official with a majority vote. If the censure implies criminal violations, it will be recommended that the case pass to the criminal courts. In Zuquilanda's case, the accusations only point to a violation of the Constitution concerning sovereignty, not a violation of the penal code. Therefore, a censure would be a symbolic gesture only.

-----  
Comment  
-----

16. (SBU) This political trial of the former Foreign Minister may turn into another forum for bashing the US. For Ecuadorian Congressional leftists, who believe the US can do no right, Zuquilanda's failure to go along with the boat

sinking accusations, whether or not they had validity, is considered a crime worth censure. He seems to be on trial for insufficient public nationalistic posturing.

17. (C) While FM, Zuquilanda repeatedly claimed the "US could have no better friend in Ecuador" than him. Regrettably, his actions rarely matched his bravado. While Zuquilanda's Foreign Ministry was less frontal in its opposition to many USG policies, it rarely supported us on issues of concern, whether UN votes or bilaterally (Article 98). Therefore, we do not feel we owe Zuquilanda any assistance on this matter. Kenney